



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग III—खण्ड २

PART III—Section 2

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० २] नई दिल्ली, शनिवार, जनवरी २७, १९६८/सा.घ. ७, १८८९

No. 2] NEW DELHI, SATURDAY, JANUARY 27, 1968/MAGHA 7, 1889

इस भाग में निम्न पृष्ठ संख्या दी जाती है जिन्हें कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF EXTERNAL AFFAIRS

NOTIFICATION

New Delhi, the 20th January 1968

Whereas, upon the invitation of the Government of India and on the decision of the General Assembly of the United Nations, the Second United Nations Conference on Trade and Development shall be held in New Delhi from the 1st February, 1968 to the 25th March, 1968;

And whereas, an agreement was concluded on the 4th day of November, 1967, at New Delhi, between the Government of India and the United Nations regarding the arrangements for the Second United Nations Conference on Trade and Development;

Now, therefore, in exercise of the powers conferred by Section 3 of the United Nations (Privileges and Immunities) Act, 1947 (46 of 1947), the Central Government hereby declares that the provisions set out in the Schedule to the said Act shall, to the extent it is necessary to give effect to the agreement hereto annexed, apply *mutatis mutandis* to the Second United Nations Conference on Trade and Development and its representatives and officers.

Agreement

Between the Government of India and the United Nations regarding the arrangements for the Second United Nations Conference on Trade and Development.

In order to facilitate the organisation of the Second United Nations Conference on Trade and Development (hereinafter referred to as the Conference) which, upon the invitation of the Government of India (hereinafter referred to as the Government) and by decision of the General Assembly of the United Nations, shall be held in Delhi from 1st February to 25th March, 1968 the Government and the United Nations hereby agree as follows.

I Premises, equipment, utilities and stationery supplies.

(1) The Government shall make available at its expense such conference rooms, offices and other working areas in the Vigyan Bhavan and closely contiguous premises as will be necessary for the Conference. These facilities shall include one Assembly Hall and two Main Committee rooms for plenary meetings and meetings of the Main Committees of the Conference, one conference room for meetings of sub-committees, working parties and groups of upto 150 persons, and three small committee rooms seating upto 70 people, a delegates' lounge with bar, restaurant and cafeteria facilities for delegations and secretariat, suitable working areas for documents reproduction and documents distribution, a large room for a reference centre, and suitable office accommodation (including suites of offices for the President, the Secretary-General and other high officials, suitable offices for the secretariat, including the translation and stenographic services and the registry, mail and pouch service, and interpreters' lounge, offices for representatives of regional economic commissions and other United Nations bodies), and an area suitable for the information needs of the Conference, including a briefing room for correspondents and radio/television/film studio. The documents reproduction and distribution area and a certain number of other offices shall be made available not later than three weeks before the opening of the Conference.

The Government shall at its expense furnish the necessary office supplies, furniture and equipment; it shall provide the necessary office machines, such as typewriters, dictaphones, play-back machines, copying machines etc., and shall also furnish the necessary machines and equipment for documents reproduction and documents distribution. The Government shall defray the expenses of procuring and/or transporting such equipment as is not available locally and of returning it as necessary.

(2) The Government shall at its expense furnish, equip and maintain in good repair all the aforementioned rooms and offices in a manner adequate to the effective conduct of the Conference. All the conference rooms shall be equipped for simultaneous interpretation in five languages and also have facilities for sound recording, and for radio and television broadcasts from the meeting rooms.

(3) The Government shall provide within the Conference area services such as bank, post office, telephone cable and telex facilities, a travel office, an information desk, a protocol office, a clinic and space for registration of participants, together with the necessary personnel to operate these ancillary services.

(4) The Government shall pay for all necessary utility services, including telephone communications of the secretariat of the Conference within Delhi and shall provide telex facilities for the secretariat of the Conference between Delhi and the Geneva Office of the United Nations.

(5) Any claim, action or proceeding for damages or loss to the land or premises within the Conference area or in respect of or arising from anything on such area or in respect of any injury to the person suffering within such area shall be the sole responsibility of the Government. The Government agrees to indemnify and hold harmless the United Nations and its personnel from any and all actions, causes of action, claims or other demands arising out of any damage to the premises in the Conference area or of injuries to person using such premises or of damages to furniture or equipment provided by the Government, except when it is agreed by the parties hereto that such damage and injury is caused by the gross negligence or wilful misconduct of United Nations personnel.

(6) The United Nations shall at its expense provide the stationery required for adequate functioning of the Conference including paper and ink for the reproduction of documents and the Government shall pay the transport and insurance charges for shipment and return as necessary.

II. Transportation:

The Government shall provide at its expense such number of chauffeur-driven cars and station wagons for the exclusive use of the Secretary General of the Conference and his staff as may be agreed upon between the Government and Secretary-General, and shall provide at no cost to the United Nations such additional facilities as may be required for the transportation of United Nations staff between the Conference offices and their hotels and residences and also from the airport servicing Delhi to their hotels and from their hotels to the airport. Any claim, action or proceeding for damages or loss to property or in respect of injury to the person arising out of the use of such transportation for the purposes of the Conference shall be the sole responsibility of the Government. The Government agrees to indemnify and hold harmless the United Nations and its personnel from any and all actions, causes of action, claims or other demands arising out of such claim except when it is agreed by the parties hereto that such damage and injury is caused by the gross negligence or wilful misconduct of United Nations personnel.

III. Police protection

The Government shall furnish at its expense such police protection as may be required to ensure the efficient functioning of the Conference without interference of any kind. While such police services shall be under the direct supervision and control of a senior officer provided by the Government, this officer shall work in close co-operation with the Secretary-General of the Conference or another official of the Secretariat designated by him for the purpose so as to ensure a proper atmosphere of security and tranquility.

IV. Local personnel for the Conference:

(1) The Government shall engage and provide at its expenses the staff required to ensure the proper functioning of the facilities referred to in Section 1, paragraphs 1, 2 and 3 above. The Government shall in the like manner engage and place under the general supervision of the Secretary-General of the Conference, for the duration of the Conference, the necessary clerical/secretarial staff to assist the substantive staff, the conference servicing and technical staff, the language staff, ~~the information staff as well as messengers, ushers, security guards, drivers and sound operators.~~ An appropriate credit will be given in **respect of local buildings management staff, local information staff and local reproduction and distribution staff** which would have needed to be hired had the Conference been held at Geneva. In addition to the foregoing credits an appropriate credit will be granted in any instance where a local staff member is accepted in replacement of an international staff member provided for in the budget of the Conference.

2) The Government agrees to indemnify and save harmless the United Nations in any and all actions, causes of action, claims or other demands arising out of the employment for the United Nations of the personnel referred to in this section.

14

Government shall reserve suitable accommodation for participants in the delegations, observers, accredited correspondents and the staff of the Secretariat) and their spouses that may be accompanying them invited by the Government. All such facilities will be provided at no cost to the United Nations and the accounts will be directly settled by the participating authorities and others concerned.

above-mentioned facilities available to the Conference, the General Assembly resolution 2116(XX) shall provide for additional expenditure to the United Nations budget for the Conference in New Delhi rather than at the Geneva. Reimbursement to the United Nations shall be made as soon as possible after the United Nations submits its final state-

VII. Privileges and immunities:

(1) The Convention on the Privileges and Immunities of United Nations, to which India is a party, shall be applicable with respect to the Conference. In particular, the Government will accord to all representatives attending the Conference and to all officials of the United Nations connected with the Conference the privileges and immunities set forth in Articles IV and V of the said Convention.

(2) Representatives of States non-members of the United Nations, but members of UNCTAD, shall enjoy the same privileges and immunities as are accorded to representatives of States Members of the Organization.

(3) Representatives of the specialized agencies and other inter governmental organizations invited to the Conference shall enjoy the privileges and immunities provided in the Convention on the Privileges and Immunities of the Specialized Agencies

(4) Local personnel provided by the Government under Article IV(1) of this Agreement shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them within the Conference premises in their official capacity in connection with the Conference.

(5) The buildings and areas referred to in Section I shall be deemed to constitute United Nations premises and access thereto shall be subject to the authority and control of the United Nations

(6) The Government shall ensure that no impediment is imposed on transit to and from the Conference of the following categories of persons attending the Conference; representatives of Governments and their immediate families, representatives of specialized agencies and inter-governmental organizations and their immediate families; officials and experts of the United Nations and their immediate families; observers of non-governmental organizations having consultative status with UNCTAD and with the Economic and Social Council of the United Nations; representatives of the Press or of radio, television, film or other information agencies accredited by the United Nations upon consultation with the Government; and other persons officially invited to the Conference by the United Nations. Any visa required for such persons shall be granted promptly and without charge.

(7) The Government shall allow the importation, duty free, of all equipment and shall waive import duties and taxes in respect of supplies necessary for the Conference. It shall issue without delay to the United Nations any necessary import and export permits.

(8) The Government shall issue to the United Nations an import permit for the supplies needed by the United Nations for official requirements and entertainment schedule of the Conference

This Agreement shall enter into force on the date of signature and shall be in force for the duration of the Conference and for such additional period as may be necessary for the preparation and winding up of administrative arrangements connected therewith.

In witness whereof, the respective representatives of the Government of India and of the United Nations have signed this Agreement this 4th day of November one thousand nine hundred and sixty seven at New Delhi, India.

For the Government of India.

P. KRISHNEN.

For the United Nations:

PAUL COIDAN

[No L/451(2)/68.]

Dr. K. KRISHNA RAO, Jt. Secy.